

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

Freedom Mortgage Corporation

Plaintiff

vs.

Paul L. Whiting

Defendant

CIVIL ACTION NO: 2:21-cv-00039-JAW

**JUDGMENT OF FORECLOSURE AND SALE
VACANT PROPERTY**

**Address: 565 South Bridgton Road, Bridgton, ME 04009
Mortgage: October 16, 2014, Book: 31856, Page: 86**

This matter came before the Court pursuant to the Default entered on April 1, 2021 against the named Defendant [ECF 8], Fed.R.Civ. P.55(b), this Court's Procedural Order dated April 8, 2021 [ECF 10], and the General Orders in response to the recent outbreak of Coronavirus Disease 2019 (COVID-19) in accordance with the *Pandemic/Infectious Disease Plan for the United States District Court for the District of Maine*. (March 2020).

Plaintiff, Freedom Mortgage Corporation (“Freedom”), was represented by John A. Doonan, Esq. The Defendant has not appeared or opposed Plaintiff's Motion for Default Judgment of Foreclosure and Sale.

All persons interested having been duly notified in accordance with the law, and after consideration of the Affidavits with supporting documentary evidence and Memorandum of Law in Support of Plaintiff's Motion for Default Judgment on Documentary Evidence, the Plaintiff's Motion for Default Judgment OF Count I, Foreclosure and Sale is **GRANTED**. Count II – Breach of Note, Count III – Breach of Contract, Money Had and Received, Count IV – Quantum Meruit, and Count V – Unjust Enrichment are hereby **DISMISSED** without prejudice at the request of the Plaintiff.

JUDGMENT on Count I – Foreclosure and Sale is hereby **ENTERED** as follows:

1. If the Defendant or their heirs or assigns pay Freedom Mortgage Corporation (“Freedom”) the amount adjudged due and owing as of May 10, 2021 (attorney's fees and deficiency are waived) (\$202,975.86) within 90 days of the date of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, Freedom shall forthwith discharge the Mortgage and file a dismissal of this action on the ECF Docket.

The following is a breakdown of the amount due and owing:

Description	Amount
Principal Balance	\$141,352.94
Interest	\$20,525.42
Escrow/Impound Required	\$13,901.82
Unpaid Late Charges	\$1,583.19
Property Inspections	\$665.00
Expenses Advances	\$24,969.83
Suspense	(\$22.34)
Grand Total	\$202,975.86

2. If the Defendant or their heirs or assigns do not pay Freedom the amount adjudged due and owing (\$202,975.86) within 90 days of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, their remaining rights to possession of the Bridgton Property shall terminate, and Freedom shall conduct a public sale of the Bridgton Property in accordance with 14 M.R.S.A. § 6323, disbursing the proceeds, first to itself in the amount of \$202,975.86 after deducting the expenses of the sale, with any surplus to be disbursed pursuant to Paragraph 5 of this Judgment, and in accordance with 14 M.R.S.A. § 6324. Freedom may not seek a deficiency judgment against the Defendant pursuant to the Plaintiff's waiver of deficiency in its Motion.
3. Pursuant to 14 M.R.S.A. § 2401(3)(F), the Clerk, if requested, shall sign a certification

after the appeal period has expired, certifying that the applicable period has expired without action or that the final judgment has been entered following appeal.

4. The amount due and owing is \$202,975.86 as of May 10, 2021.
5. The priority of interests is as follows:
 - Freedom Mortgage Corporation has first priority, in the amount of \$202,975.86, pursuant to the subject Note and Mortgage and there are no parties-in-interest other than the Defendant who has second priority.
6. The pre-judgment interest rate is 4.25000%, see 14 M.R.S.A. § 1602-B, and the post-judgment interest rate is 6.09%, see 14 M.R.S.A. § 1602-C.
7. The following information is included in this Judgment pursuant to 14 M.R.S.A. § 2401(3):

	PARTIES	COUNSEL
PLAINTIFF	Freedom Mortgage Corporation 10500 Kincaid Drive Fishers, IN 46037	John A. Doonan, Esq. Reneau J. Longoria, Esq. Doonan, Graves & Longoria, LLC 100 Cummings Center Suite 303C Beverly, MA 01915
DEFENDANT	Paul L. Whiting 37 Willis Park Road Bridgton, ME 04009	Defaulted Pro Se

- a) The docket number of this case is 2:21-cv-00039-JAW.
- b) All parties to these proceedings received notice of the proceedings in accordance with the applicable provisions of the Federal Rules of Civil Procedure.
- c) A description of the real estate involved, 565 South Bridgton Road, Bridgton, ME 04009 is

set forth in Exhibit A to the Judgment herein.

- d) The street address of the real estate involved is 565 South Bridgton Road, Bridgton, ME 04009. The Mortgage was executed by the Defendant, Paul L. Whiting, on October 16, 2014. The book and page number of the Mortgage in the Cumberland County Registry of Deeds is **Book 31856, Page 86.**
- e) This Judgment shall not create any personal liability on the part of the Defendant but shall act solely as an *in rem* judgment against the property, 565 South Bridgton Road, Bridgton, ME 04009.

SO ORDERED

DATED THIS 30th DAY OF JULY, 2021

/s/ John A. Woodcock, Jr.
U.S. DISTRICT JUDGE